

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

12-CV-0285S

-v-

Smith & Wesson 1000 Shotgun
12 Caliber, SN: FS97110;

Ruger 10/22 Rifle, 22 Caliber
SN: 246-43740; and

Marlin Firearm Co.
336A Rifle, SN: 95021894,

Defendants.

DEFAULT JUDGMENT AND ORDER OF FORFEITURE

The plaintiff, the United States of America, has moved for a Judgment of Default, pursuant to Federal Rules of Civil Procedure 55(b)(2), and for an Order of Forfeiture. After reviewing the affidavit of Richard D. Kaufman, Assistant United States Attorney, sworn to on June 14, 2012, and it appearing that no individual or entity has filed a Verified Claim and Answer with respect to the above captioned defendant firearms as required by the Warrant that was served upon it, as provided by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions; and it appearing that an Entry of Default against the defendant firearms has been entered in this action by the Clerk of the Court; and it appearing that no motions seeking permission to file late claims have been filed; and it appearing that no objections to the motion for default have been filed in

this Court by any party and that the plaintiff is entitled to have a Judgment by Default entered; it is hereby

ORDERED, that this Judgment of Default be entered against the defendant firearms, and it is further

ORDERED, that the defendant firearms referred to above be and hereby are forfeited to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 21, United States Code, Section 881(a)(11), and are to be disposed of by the Bureau of Alcohol, Tobacco, Firearms and Explosives according to law; and it is further

ORDERED, that all claims and interests of any individual or entity in the defendant firearms are forever forfeited, closed, and barred.

SO ORDERED

Dated: July 13, 2012
Buffalo, NY

s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court